

REMARKS

Amendments

Claim 17 is amended to delete pyridyl from the definition of group D. Claim 19 is amended to correct a typographical error in the definition of group T. These amendments do not require further search and/or consideration, and place the application in condition for allowance. Entry of the amendments is respectfully requested.

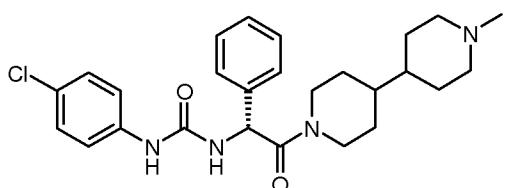
Rejection under 35 USC 112, second paragraph

Claim 17 is rejected under 35 USC 112, second paragraph, as being indefinite. Claim 17 is amended above to correct the typographical error regarding the inclusion of pyridyl in the definition of group D. Withdrawal of the objection is respectfully requested.

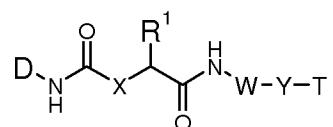
Obviousness-type Double Patenting Rejection in view of Dorsch et al. (US 7,183,277)

Claims 1-4, 6-13, 16-22, 25, 26, 28, 30-37 and 40-47 are rejected on grounds of obviousness-type double patenting in view of claims 1-3, 5, 20, 23, 24, and 26 of Dorsch et al. (US 7,183,277). This rejection is respectfully traversed.

In the rejection, it is argued that the compound (R)-1-(4-chlorophenyl)-3-[2-(1'-methyl-4,4'-bipiperidinyl-1-yl)-2-oxo-1-phenylethyl]urea, is recited in claim 21 of the instant application, and encompassed by the claims of Dorsch et al. (US '277). This compound has the following structural formula:



Claim 1 of Dorsch et al. (US '277) recites a genus of compounds defined by the following structural formula:



The other claims of Dorsch et al. (US '277) asserted in the rejection, i.e., claims 2, 3, 5, 20, 23, 24, and 26, all depend from claim 1.

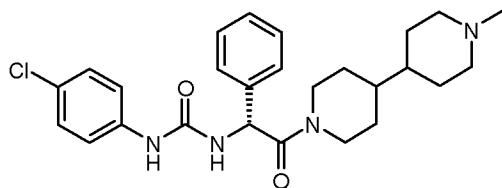
Contrary to the assertion in the rejection, claim 1 of Dorsch et al. (US '277) does not encompass (R)-1-(4-chlorophenyl)-3-[2-(1'-methyl-4,4'-bipiperidinyl-1-yl)-2-oxo-1-phenylethyl]urea. For example, the formula in claim 1 of Dorsch et al. (US '277) has an -NH- group between the -CR¹-CO- structure and the W-Y-T group, not a piperidinyl ring.

In view of the above remarks, it is respectfully submitted that the claims of Dorsch et al. (US '277) fail to render obvious applicants' claimed invention. Withdrawal of the rejection is respectfully requested.

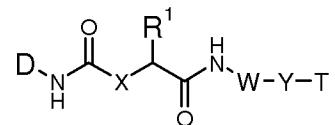
Obviousness-type Double Patenting Rejection in view of Dorsch et al. (US 7,598,241)

Claims 1-4, 6-13, 16-22, 25, 26, 28, 30-37 and 40-47 are rejected on grounds of obviousness-type double patenting in view of claims 1-3, 7, 17, and 20-23 of Dorsch et al. (US 7,598,241). This rejection is respectfully traversed.

In the rejection, it is argued that the compound (R)-1-(4-chlorophenyl)-3-[2-(1'-methyl-4,4'-bipiperidinyl-1-yl)-2-oxo-1-phenylethyl]urea, is recited in claim 21 of the instant application, and encompassed by the claims of Dorsch et al. (US '241). This compound has the following structural formula:



Claim 1 of Dorsch et al. (US '241) recites a genus of compounds defined by the following structural formula:



The other claims of Dorsch et al. (US '241) asserted in the rejection, i.e., claims 2, 3, 7, 17, and 20-23, all depend from claim 1.

Contrary to the assertion in the rejection, claim 1 of Dorsch et al. (US '241) does not

encompass (R)-1-(4-chlorophenyl)-3-[2-(1'-methyl-4,4'-bipiperidinyl-1-yl)-2-oxo-1-phenylethyl]urea. For example, the formula in claim 1 of Dorsch et al. (US '241) has an -NH- group between the -CR¹-CO- structure and the W-Y-T group, not a piperidinyl ring.

In view of the above remarks, it is respectfully submitted that the claims of Dorsch et al. (US '277) fail to render obvious applicants' claimed invention. Withdrawal of the rejection is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

/Brion P. Heaney/

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